

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MASSACHUSETTS

In re: SAUNDERS, Marian

Chapter 13
Case No. 07-17951-RS

MOTION OF CHAPTER 13 TRUSTEE FOR ORDER DISMISSING CASE
NOTICE OF BAR DATE OBJECTIONS/RESPONSES

Now comes the Chapter 13 Trustee (the "Trustee") and respectfully moves the Court for an Order dismissing this case. In support thereof, the Trustee states as follows:

1. On December 14, 2007, the above-captioned debtor (the "Debtor") filed a petition for relief under Chapter 13 of the United States Bankruptcy Code.
2. On January 23, 2008, the Trustee convened and presided at a meeting of creditors as required by 11 U.S.C §341.
3. The Trustee is unable to confirm Debtor's plan at this time.
4. The Debtor failed to make first plan payment according to the terms of the proposed plan totaling \$1,248.48, which is equal to one month of plan payments(s). This amount may increase prior to hearing. Failure to make timely payments is grounds for dismissal pursuant to 11 U.S.C §1307.

WHEREFORE, the Trustee respectfully requests that this Court enter an Order dismissing this case.

Respectfully Submitted,

By: /s/ Carolyn Bankowski
Carolyn Bankowski, BBO #631056
Patricia A. Remer, BBO #639594
Office of the Chapter 13 Trustee
P.O. Box 8250
Boston, MA 02114
(617) 723-1313

Dated: 1/31/08

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DISTRICT OF MASSACHUSETTS

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Chapter 13
Case No. 07-17951-RS

ORDER DISMISSING CASE

The motion of the Chapter 13 Trustee to dismiss this case having come before this Court, due notice having been given, and for cause shown, it is hereby:

ORDERED: that this Chapter 13 case is dismissed.

Dated: _____

U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
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NOTICE OF BAR DATE FOR OBJECTIONS/RESPONSES

Notice is given that any responses and/or objections to this motion are to be filed within twenty (20) days of the date hereof. If no timely objections/responses are filed, the Court may act on this motion without further notice or hearing as provided by 11 U.S.C. §102(1)(B).

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the within Trustee's Motion to Dismiss was served upon the Debtor, Debtor's counsel of record and those parties listed on the following service list by first class mail, postage prepaid or by electronic notice.

Dated: 1/31/08

/s/ Carolyn Bankowski

SERVICE LIST

Marian Saunders
5 Warwick Street, Apt. 3
Boston, MA 02120

Terrence Parker, Esquire
185 Alewife Brook Parkway, Ste. 404
Cambridge, MA 02139